

March 18, 2015

**B1/B2 visa is only for temporary visits**

*Q: My mother filed a petition for me some time ago, and I recently received my immigrant visa. I plan to immigrate very soon. I'll arrange for my son's immigrant visa to be processed later, after I get all his documents ready. But in the meantime, I want him to be with me in the U.S. while I'm putting his case together. Can he come with me on his visitor's visa and attend school until I am ready to proceed with his filing?*

**A:** I'm afraid this plan has some problems.

Your son's B1/B2 visitor's visa is intended for just that – temporary visits. Attending school is not an appropriate use of a B1/B2 visa and could cause trouble for your child's immigrant visa case.

It doesn't matter what age your child is – from kindergarten to high school, students should not attend school on a B1/B2 visa. The only exception to this is when a tourist engages in a short course of study incidental to their travel – a language course, for example.

Sometimes a friend or relative who is a U.S. citizen or legal permanent resident (LPR) will declare themselves to be a child's legal guardian in order for the child to qualify for public school. However, even legal guardianship does not establish a qualifying family relationship for residence or school in the U.S. – this could also create consequences for you and your child.

In your case, we advise you to wait until you have processed your son's immigrant visa before having him join you. Then he can and should attend school in the U.S. – as a legal permanent resident of the country.

Please consult our website if you need further guidance as to how to complete his immigrant visa.

You can find more information about how to travel to the U.S. on our website, [www.kingston.usembassy.gov](http://www.kingston.usembassy.gov) and the website of our authorized service provider at [usvisa-info.com](http://usvisa-info.com). Keep on top of Embassy news on our Facebook page, <https://www.facebook.com/pages/US-Embassy-Jamaica> and by following @USEmbassyJA on Twitter. We also answer general visa questions on our Facebook and Twitter pages.